



# OLR RESEARCH REPORT

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## **FIREARM BOARDS IN CONNECTICUT AND OTHER STATES**

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This report describes the functions of Connecticut's Board of Firearms Permit Examiners and compares Connecticut's gun credentialing and appeal process with those in other states.

### **SUMMARY**

The Board of Firearms Permit Examiners is a seven-member board that hears appeals from people aggrieved by an issuing authority's decision to deny, revoke, or place limits on their gun permit or gun eligibility certificate or deny their request for an application for a permit or certificate. The board is within the Office of Governmental Accountability.

Some states have one central authority that issues the permit or other credential. In others, the process is decentralized and the credentials are issued by county or town officials. In some states, like Connecticut, a central body issues the credentials to nonresidents and local officials issue them to residents.

Only two other states—Maryland and Utah—have a statutorily designated board resembling the Board of Firearms Permit Examiners. Maryland has a five-member review board within the Department of Public Safety and Correctional Services and Utah has a five-member board within the Department of Public Safety's Bureau of Criminal Identification.

## **CONNECTICUT GUN CREDENTIALS**

With some exceptions, Connecticut law requires anyone (1) carrying a handgun (pistol or revolver) in the state to have a permit to carry handguns (i.e., gun permit); (2) buying or otherwise acquiring a handgun to have a gun permit, eligibility certificate, or permit to sell handguns (i.e., dealer permit); and (3) selling more than 10 handguns in a calendar year to have a dealer permit ([CGS §§ 29-35, -33, -28](#)).

The eligibility certificate is issued by the State Police and the gun dealer permit is issued by police chiefs, or where there is none, the first selectman or borough warden ([CGS §§ 29-36f, -28](#)). The gun permit is issued under a two-step process that involves (1) local police chiefs (or borough warden or first selectman, where applicable) issuing a temporary state permit after conducting preliminary criminal history record and suitability checks and (2) the State Police issuing a five-year state permit after completing all mandated criminal history record checks ([CGS §§ 29-28, 29-28a](#)). The issuing authority may deny, revoke, suspend, refuse to issue or renew, or place limitations on, any of these credentials based on criteria in law.

## **BOARD OF FIREARMS PERMIT EXAMINERS**

### ***Composition***

The Board of Firearms Permit Examiners is a statutory board that hears appeals of issuing authorities' adverse decisions on gun permits and eligibility certificates. It consists of seven members appointed by the governor as follows: two public members and one nominee each from the Department of Emergency Services and Public Protection, the Connecticut Police Chiefs Association, the Energy and Environmental Protection Department, the Connecticut State Rifle and Revolver Association, Inc., and Ye Connecticut Gun Guild, Inc. At least one member must be a Connecticut-licensed lawyer, who chairs the board during appeals. Members are not paid but receive reasonable subsistence and travel allowances in the performance of their duties ([CGS § 29-32b](#)).

### ***Hearings***

Anyone aggrieved by an issuing authority's decision to deny, limit, revoke, or refuse to provide an application for, a gun permit or eligibility certificate when asked, may appeal to the board, and the board must hear the appeal.

The board must hold hearings at least once every 90 days. The hearings are not criminal proceedings. Rather, they are civil administrative hearings open to the public. Both sides can call witnesses to address and explain the incidents that form the basis for the issuing authority's adverse action and both may cross-examine witnesses. The board may also question witnesses, request additional witnesses, and compel the attendance of witnesses with subpoenas.

Unless the board finds that the action that is the subject of the appeal was for a "just and proper cause," it must order the issuing authority to issue, renew, restore, or remove any limit on, the gun permit or eligibility certificate. Decisions must be made by majority vote.

### ***Appeal of Board Decisions***

The statute establishing the board's procedures allows any "person" aggrieved by the board's decision to appeal to the Superior Court ([CGS § 29-32b\(f\)](#)). But this statute does not define the term "person." The statute allows appeals "in accordance with the provisions of section 4-183." [CGS § 4-183](#) establishes procedures to appeal under the Uniform Administrative Procedure Act (UAPA). Under UAPA, "person" includes any individual, government subdivision, or agency ([CGS § 4-166\(9\)](#)). It appears that both individuals and issuing authorities can appeal. We found one case where an issuing authority appealed to the Superior Court (*Farmington v. Board of Firearms Permit Examiners*, No. CV 95-0550258S, Feb. 23, 1996). The court stated that the issuing authority's appeal was "authorized by General Statutes § 4-183" and did not discuss the issue.

### **OTHER STATES**

All the states, except Vermont, issue some type of gun credential. Most require a permit or license to carry concealed weapons or handguns. Some, like Massachusetts and New Jersey, require a permit or license both to purchase and carry handguns.

Typically, the issuing authority is a local law enforcement official (usually a police chief or sheriff) or the State Police. In some states, the local authority issues the credential to residents and the State Police issues it to nonresidents (see Table 1).

In most states, parties aggrieved by an adverse action on gun credentials either have to petition for judicial review or file an administrative appeal. Only Maryland and Utah have a board similar to Connecticut's Board of Firearms Permit Examiners.

### ***Maryland's Handgun Permit Review Board***

Maryland's Handgun Permit Review Board is within the state's Department of Public Safety and Correctional Services. The board consists of five public members appointed by the governor with the advice and consent of the Senate. Members are entitled to reimbursement for expenses and "compensation in accordance with the State budget" for each day they perform their official duties (Md. Code, Public Safety § 5-302).

A party aggrieved by the State Police secretary's decision to deny, revoke, or place any limitation on his or her permit may ask the State Police to conduct an informal review within 10 days of an initial decision or ask the board to review the secretary's initial or final decision within 10 days of being notified.

Within 90 days after receiving a request to review an adverse action, the board must review the record developed by the secretary or conduct a hearing. It may consider additional evidence submitted by a party in conducting a review of the secretary's decision. Based on its consideration of the record and any additional evidence, it may sustain, reverse, or modify the agency's decision. The board's decisions are subject to judicial review (Md. Code, Public Safety § 5-312).

### ***Utah's Concealed Firearm Review Board***

Utah's Concealed Firearm Review Board is within the Department of Public Safety's (DPS) Bureau of Criminal Identification, which issues permits to carry concealed firearms. The board consists of up to five members appointed by the DPS commissioner on a bipartisan basis. It includes one law enforcement representative and at least two public members, one of whom must represent sporting interests. Members do not receive compensation or benefits but may receive per diem and travel expenses.

Anyone aggrieved by the bureau's denial, suspension, or revocation of a concealed firearm permit may file a petition for review with the board, which must conduct the review within a "reasonable time" (Utah Code § 53-5-703). The bureau has the burden of proof by preponderance of the evidence. The board's final order is final bureau action for purposes of judicial review (Utah Code § 53-5-704(16)).

The board must meet at least quarterly, unless it has no business to conduct during that quarter.

**Table 1: Comparison of States' Gun Credentials, Issuing Authorities, and Appeal Authorities/Process**

<b>State</b>	<b>Type of Credential</b>	<b>Issuing Authority</b>	<b>Authority that Hears Appeals</b>	<b>Comments</b>
Alabama	License to carry pistol concealed or in a vehicle (Ala. Code § 13A-11-73)	County sheriffs	Awaiting verification	
Alaska	Permit to carry concealed handgun (Alaska Stat. § 18.65.700)	State Police	Administrative appeal	<u>Revocations*</u> A person may appeal revocation decision to the DPS commissioner and the commissioner's decision in Superior Court (Alaska Stat. § 18.65.740).
Arizona	Permit to carry concealed weapon (Ariz. Rev. Stat. § 13-3112)	Department of Public Safety	Administrative appeal	<u>Denials*</u> When an application is denied, the applicant may submit additional documentation for reconsideration. If denied, the applicant may request hearing under the Uniform Administrative Procedure Act (Ariz. Rev. Stat. § 13-3112).
Arkansas	License to carry concealed handgun (Ark. Code Ann. § 5-73-302)	State Police	Administrative appeal	<u>Denials, Suspensions, Revocations</u> Anyone aggrieved by a final agency action is entitled to judicial review in circuit court (Ark. Code Ann. §§ 25-15-211, 25-15-212) (Ark. Admin. Code §§ 130.00.8-9.1, 130.00.8-8.0, 130.00.8-10.0)
California	License to carry concealed firearms (Cal. Penal Code §§ 26150(b), 26155(b))	County sheriffs and police chiefs	Administrative appeal	<u>Denials and Revocations</u> An applicant may request reconsideration by an administrative hearing officer. The agency must provide a final decision within 60 days of the request. A licensee whose permit is revoked or renewal denied may request an administrative hearing (11 Cal. Code Regs. tit. 11 § 4146 <i>et seq.</i> ).
Colorado	Concealed handgun permit (Col. Rev. Stat. § 18-12-203)	County sheriffs	Administrative or Judicial review	<u>Denials, Revocations, Suspensions</u> Aggrieved applicants or permittees may seek a second review by the sheriff or, instead, seek judicial review. At a judicial review, the sheriff must prove his or her case by (1) a preponderance of the evidence in certain cases or (2) by clear and convincing evidence in others (Col. Rev. Stat. § 18-12-207).

Table 1 (continued)

State	Type of Credential	Issuing Authority	Authority that Hears Appeals	Comments
Connecticut	Permit to carry handguns (CGS § 29-35)  Eligibility certificate (CGS § 29-36g)	Local police chiefs/State Police Firearms Licensing Unit (two-step process) for gun permit for residents; State Police for nonresidents  State Police for eligibility certificate	Board of Firearms Permit Examiners	<u>Denials, Revocations, Limitations</u> Anyone aggrieved by the board's decision may appeal to Superior Court (CGS § 29-32b(f)).
Delaware	License to carry deadly weapons (Del. Code tit. 11 § 1441)	Superior courts	Supreme Court	<u>Denials or Revocations</u> Applicant may appeal within 30 days of adverse decision to the Supreme Court (Del. Code tit. 10 § 150).
District of Columbia	Registration certificate to purchase firearm (D.C. Code §§ 7-2502.01 to 2502.07a)	Police chiefs	Administrative appeal	<u>Denials and Revocations</u> After a denial or revocation, a person has 15 days to submit further evidence before the denial or revocation is deemed final. Anyone aggrieved by an agency decision may petition for review in the Appeals Court (D.C. Code §§ 2-510, 7-2502.10).
Florida	License to carry concealed weapons or firearms (handguns) (Fla. Stat. § 790.01)	Department of Agriculture and Consumer Services	Administrative appeal	<u>Denials, Revocations, Suspensions</u> Before entering a final adverse order, the agency must give affected parties reasonable opportunity for an administrative hearing (Fla. Stat. § 120.60(5)). Any party adversely affected by a final agency action may seek Appellate Court review. A preliminary, procedural, or intermediate agency order or order of an administrative law judge is immediately reviewable if review of the final agency decision would not provide an adequate remedy (Fla. Stat. § 120.68).
Georgia	License to carry weapon (handgun) (Ga. Code § 16-11-29(a))	County probate courts	Awaiting information	Awaiting information
Hawaii	License to carry handgun (Haw. Rev. Stat. § 134-9)  Permit to acquire firearm (Haw. Rev. Stat. § 134-2)	County or municipal police chiefs	Administrative appeal	(Haw. Admin. Code § 23-4-2)

Table 1 (continued)

State	Type of Credential	Issuing Authority	Authority that Hears Appeals	Comments
Idaho	License to carry concealed weapon (handgun) (Idaho Code Ann. § 18-3302)	County sheriffs	Administrative appeal	<u>Denials, Revocations, Suspensions</u> Before taking any adverse action against a licensee, the agency must provide notice and opportunity for a contested case hearing (Idaho Code § 67-5254). A party aggrieved by the final action in the contested case is entitled to judicial review (Idaho Code § 67-5270).
Illinois	Firearm Owner's Identification Card to acquire or possess firearms (430 Ill. Comp. Stat. § 65/1)	State Police	Administrative appeal	<u>Denials, Revocations, Suspensions, Seizures</u> With exceptions, an aggrieved party may appeal to the State Police director. In cases where the adverse action is based on certain crimes, he or she may petition the circuit court for a hearing (430 Ill. Comp. Stat. § 65/10). With exceptions, final administrative decisions are subject to judicial review under the Administrative Review Law (430 Ill. Comp. Stat. 65/11).
Indiana	License to carry handgun (Ind. Code Ann. § 35-47-2-1)	State Police	Administrative appeal	Ind. Code Ann. § 35-47-2-5
Iowa	Permit to acquire handguns (Iowa Code § 724.17)  Permit to carry weapons (Iowa Code § 724.11)	County sheriffs for residents; public safety commissioner for nonresidents	Administrative appeal	<u>Denials, Suspensions, Revocations</u> The applicant or permit holder may file an appeal with an administrative law judge. The standard of review is clear and convincing evidence that the issuing officer had probable cause for the action. An applicant, permit holder, or issuing officer aggrieved by the administrative law judge's final judgment may seek judicial review (Iowa Code § 724.21A(4),(5)).
Kansas	License to carry concealed handgun (Kan. Stat. § 75-7c03)	Attorney General's Office	Administrative appeal	<u>Denials*</u> If the attorney general denies an application, he or she must notify the applicant of the opportunity for an administrative hearing (Kan. Stat. § 75-7c05(e)(2)).
Kentucky	License to carry concealed weapons (Ky. Rev. Stat. § 237.110)	State Police	Administrative appeal	<u>Denials*</u> If the State Police denies an application, it must notify the applicant of the right to resubmit additional documentation relating to the grounds for the denial. Aggrieved applicants may seek <i>de novo</i> review in the appropriate district court (Ky. Rev. Stat. § 237.110(9)).
Louisiana	Permit to carry concealed handgun (La. Rev. Stat. § 40.1379.3(A)(1))	Department of Public Safety and Corrections	Administrative appeal	<u>Denials*</u> An applicant denied a permit may seek an informal review or administrative hearing (La. Admin. Code tit. 55, ptl, § 1315).



Table 1 (continued)

<b>State</b>	<b>Type of Credential</b>	<b>Issuing Authority</b>	<b>Authority that Hears Appeals</b>	<b>Comments</b>
Maine	Permit to carry concealed handgun (Me. Rev. Stat. tit. 25 § 2003)	Mayor and municipal officers or councilors of a city or town for residents; State Police chief for nonresidents	Administrative appeal	<u>Denials*</u> Anyone aggrieved by a final agency action may seek judicial review in the Superior Court (Me. Rev. Stat. tit. 5 § 11001).
Maryland	Permit to carry handgun (Md. Code, Public Safety § 5-303)	State Police licensing division	Administrative appeal (informal) or Handgun Permit Review Board	<u>Denials, Revocations, Suspensions</u> An affected party may ask the (1) State Police secretary or designee to conduct an informal review within 10 days of the initial adverse decision or (2) board to review the initial decision or secretary's decision. Within 90 days of receiving the request, the board must conduct a hearing (Md. Code Public Safety §§ 5-301, -311, -312).
Massachusetts	Firearm Identification (FID) Card (Mass. Gen. Laws ch. 140 § 129B)  Class A and Class B firearm license to carry (Mass. Gen. Laws ch. 140 § 131)  Permit to purchase firearm (Mass. Gen. Laws ch. 140 § 131A)	Local police or State Police	District Court	<u>Denials, Revocations, Suspensions</u> Aggrieved parties may, within 90 days of receipt of a notice of adverse action, or within 90 days after the expiration of the deadline by which the issuing authority must provide a response, file a petition for judicial review (Mass. Gen. Laws ch. 140 §§ 129B(5), 131(f)).
Michigan	License to carry concealed pistol (Mich. Comp. Laws § 28.425b)  License to purchase, carry, possess, transport pistol (Mich. Comp. Laws § 28.422)	Counties' concealed weapons licensing boards  Police chiefs or county sheriffs, where applicable	Circuit Court	<u>Denials*</u> The court must, if it determines that (1) the denial was clearly erroneous, order the board to issue the license; (2) the denial was arbitrary and capricious, order the state to pay one-third and the county to pay two-thirds of the applicant's costs and attorney fees; and (3) the applicant's appeal was frivolous, order the applicant to pay the board's actual costs and attorney fees in responding to the appeal (Mich. Comp. Laws § 28.425d).

Table 1 (continued)

<b>State</b>	<b>Type of Credential</b>	<b>Issuing Authority</b>	<b>Authority that Hears Appeals</b>	<b>Comments</b>
Minnesota	Permit to carry pistol (Minn. Stat. § 624.714)  Transferee permit (or permit to carry) required to purchase handgun (Minn. Stat. § 624.7131)	County sheriffs  County sheriffs and police chiefs	District Court	<u>Denials and Revocations</u> Anyone aggrieved by a permit denial or revocation may appeal by petition to the appropriate district court. The court must hold a hearing at the earliest “practicable date” but no later than 60 days after the petition is filed. If it grants a petition, it must award the petitioner reasonable costs and expenses, including attorney fees (Minn. Stat. Ann. § 624.714(12)(d)).
Missouri	Concealed carry endorsement to carry concealed on one’s person or in a vehicle (Mo. Rev. Stat. § 571.101)	County or city sheriffs	Administrative appeal	<u>Denials*</u> Aggrieved applicants may resubmit application for reconsideration. After two additional reviews and denials, they may appeal to small claims court (Mo, Stat. §§ 571.101, 571.114.1). They may appeal the final judgment of the small claims court (Mo. Stat. § 571.114(5)).
Montana	Permit to carry concealed weapon (Mont. Code § 45-8-321)	County sheriffs	District Court	<u>Denials and Revocations</u> The denial or revocation of a permit is subject to appeal to the district court and from that court to the Supreme Court (Mont. Code § 45-8-324).
Nebraska	Permit to carry a concealed handgun (Neb. Rev. Stat. § 69-2430)	Nebraska State Patrol	Administrative appeal	<u>Denials*</u> Applicants denied a permit may appeal to the district court in accordance with the Administrative Procedure Act (Neb. Rev. Stat. § 69-2430).
Nevada	Permit to carry concealed firearms (Nev. Rev. Stat. § 202.3657)	County sheriffs	District Court	<u>Denials*</u> Applicants denied a permit may petition the district court for review. The judicial review must be limited to a determination of whether the denial was arbitrary, capricious, or otherwise characterized by an abuse of discretion (Nev. Rev. Stat. § 202.3663).
New Hampshire	License to carry loaded handgun (N.H. Rev. Stat. § 159:4)	Police chief, mayor, selectmen, sheriffs (as applicable) for residents; State Police for nonresidents	District or Municipal Court	<u>Denials, Suspensions, Revocations</u> Anyone aggrieved by any adverse action on a license may petition the district or municipal court in his or her district. The court must hear the petition within 14 days after receiving it and issue a decision within 14 days after the hearing. The issuing authority must demonstrate by clear and convincing proof why the adverse action was justified (N.H. Rev. Stat. § 159:6-c).

Table 1 (continued)

State	Type of Credential	Issuing Authority	Authority that Hears Appeals	Comments
New Jersey	Firearms purchaser Identification card to purchase long guns (N.J. Stat. § 2C:58-3(b))  Permit to purchase handgun (N.J. Stat. § 2C:58-3(a))  Permit to carry handgun (N.J. Stat. § 2C:58-4(a))	Police chief (or State Police superintendent, where applicable) for FID card and permit to purchase handguns;  Police chief (or State Police superintendent, where applicable) approves the application; the Superior Court issues the permit to carry handguns	Superior Court	<u>Denials*</u> Anyone denied a permit to carry handguns may appeal to the Superior Court. The court must hold the hearing within 30 days of receiving the hearing application. Appeals from the results of the hearing are allowed in accordance with law (N.J. Stat. §§ 58-3(d)); 2C § 58-4(e)).
New Mexico	License to carry concealed handgun (N.M. Stat. § 29-19-5)	Department of Public Safety	Administrative appeal	<u>Denials, Suspensions, Revocations</u> Anyone adversely affected by the department's final order may appeal to the county district court (N.M. Admin. Code §§ 10.8.2.21, 10.8.2.2.26(M)).
New York	Awaiting information	Awaiting information	Awaiting information	Awaiting information
North Carolina	License to purchase handgun (N.C. Gen. Stat. §§ 14-402, -403, -404)  Permit to carry concealed handgun (N.C. Gen. Stat. § 14-415.11)	County sheriffs	District Court	<u>Denials and Revocations</u> Applicants may petition the district court to hear denials of license application. The court must base its decision on the facts, the law, and the reasonableness of the sheriff's refusal. Its decision is final. (N.C. Gen. Stat. §§ 14-404, 14-415.15).
North Dakota	Concealed license to carry firearm (N.D. Cent. Code §§ 62.1-04-02, 62.1-04-03)	State Bureau of Criminal Investigation	District Court	<u>Denials and Revocations</u> N.D. Cent. Code § 62.1-04-03(7)
Ohio	License to carry concealed handgun (Ohio Rev. Code Ann. § 2923.125)	County sheriffs	Administrative appeal	<u>Denials*</u> Ohio Rev. Code § 2923.127

Table 1 (continued)

<b>State</b>	<b>Type of Credential</b>	<b>Issuing Authority</b>	<b>Authority that Hears Appeals</b>	<b>Comments</b>
Oklahoma	License to carry concealed or unconcealed handgun (Okla. Stat. tit. 21 § 1290.3)	State Bureau of Investigation	Administrative appeal	<u>Denials, Revocations, Suspensions</u> Aggrieved applicants may request a bureau administrative hearing and may appeal the bureau's decision to district court (Okla. Stat. tit. §§ 1290.12(12), 1290.17).
Oregon	License to carry concealed handgun (Or. Rev. Stat. §§ 166.291-166.295)	County sheriffs	Circuit Court	<u>Denials, Revocations, Suspensions</u> Aggrieved parties may petition the circuit court, which must hear the petition within 15 "judicial days" of the filing or as soon as practicable thereafter. Any party to the appeal may appeal the circuit court's decision to the Appeals Court. If the issuing authority files an unsuccessful appeal, it must pay the prevailing party's attorney fees for the (Or. Rev. Stat. § 166.293).
Pennsylvania	License to carry concealed firearm (18 Pa. Cons. Stat. § 6109(a))	County sheriffs (or city police chiefs, where applicable)	Court	<u>Denials, Revocations, Suspensions</u> Any adverse action on a license is subject to judicial review (18 PA Cons. Stat. § 6114).
Rhode Island	License or permit to carry concealed or visible handgun (R.I. Gen. Laws §§ 11-47-8, 11-47-18)	Police chiefs or superintendents, boards of police commissioners, or town clerks, as applicable	Administrative appeal	<u>Denials, Revocations, Suspensions</u> Anyone who has exhausted all administrative remedies and is aggrieved by a final administrative decision is entitled to judicial review (R.I. Gen. Laws § 42-35-15).
South Carolina	Permit to carry "concealable weapon" (S.C. Code § 23-31-215)	South Carolina Law Enforcement Division	Administrative appeal	<u>Denials*</u> Anyone denied a permit may appeal to the division chief, who has 10 days to issue a decision. Aggrieved applicants have 30 days to file a petition for review by the Administrative Law Judge Division (S.C. Code § 23-31-215).
South Dakota	Permit to carry concealed pistol (S.D. Codified Laws § 23-7-7)	County sheriffs	Circuit Court	<u>Denials*</u> S.D. Codified Laws § 23-7-7.1(9)
Tennessee	Permit to carry handguns (Tenn. Code § 39-17-1351)	State Department of Safety	Administrative appeal	<u>Denials, Suspensions, Revocations</u> An aggrieved person may petition for department review. If the department's action is sustained, the person may petition for a court hearing (Tenn. Code §§ 39-17-1352, -1353, -1354).

Table 1 (continued)

State	Type of Credential	Issuing Authority	Authority that Hears Appeals	Comments
Texas	License to carry concealed handguns (Texas Gov. Code § 411.177(a))	State Department of Public Safety	Administrative appeal	<u>Denials, Revocations, Suspensions</u> Not later than 30 days after being informed of an adverse decision, applicants may ask the department for a hearing. The department must promptly schedule a hearing in the appropriate justice court, and the hearing must be held “expeditiously” but no later than 60 days after the aggrieved party’s request. A justice of the peace acts as administrative hearing officer. The court must make its determination based on the preponderance of the evidence. Any party adversely affected by the court’s ruling may appeal to a county court (Texas Gov. Code § 411.180).
Utah	Permit to carry concealed firearms (Utah Code Ann. §§ 53-5-704, 53-5-705)	State Department of Public Safety Bureau of Criminal Identification	Concealed Firearm Review Board	<u>Denials, Suspensions, Revocations</u> The bureau has burden of proof by preponderance of the evidence. The board’s final order is final bureau action for purposes of judicial review (Utah Code § 53-5-704(16)).
Vermont	No permit or license required	Not applicable	Not applicable	Not applicable
Virginia	Permit to carry concealed handgun (Va. Code Ann. § 18.2-308(D))	Circuit court clerk for residents; State Police for nonresidents	Administrative appeal	<u>Denials*</u> Anyone whose application is denied may ask the circuit court within 21 days after the denial for an “ore tenus” hearing. The applicant may petition the Court of Appeals to review the circuit court’s order. If the decision is reversed on appeal, the state must pay the applicant’s taxable costs. The Appeals Court decision is final. (Va. Code. § 18-2-308(I), 18-308(L)).
Washington	License to carry concealed pistol (Wash. Rev. Code § 9.41.070)	County sheriffs or municipal police chiefs	Court	Aggrieved parties may apply to a court of competent jurisdiction for a writ of mandamus (Wash. Rev. Code § 9.41.0975(2)).
West Virginia	License to carry concealed deadly weapon (handgun) (W. Va. Code § 61-7-4)	County sheriffs	Circuit Court	<u>Denials*</u> An applicant whose application is denied may file a petition in circuit court. If the court upholds the denial, the applicant may file an appeal in Appeals Court (W. Va. Code § 61-7-4(j)).
Wisconsin	License to carry concealed weapons (Wis. Stat. § 175.60(2)(a))	State Department of Justice (DOJ)	Administrative or Superior Court appeal	<u>Denials, Suspensions, Revocations</u> An aggrieved party may petition the DOJ for administrative review or appeal directly to the Superior Court. If the court reverses a decision, it may order the department to pay the aggrieved individual all court costs and reasonable attorney fees (Wis. Stat. § 175.60(14m)(g)(2)).

Table 1 (continued)

State	Type of Credential	Issuing Authority	Authority that Hears Appeals	Comments
Wyoming	Permit to carry concealed firearm (Wyo. Stat. § 6-8-104(b))	Attorney General's Office through the Division of Criminal Investigation	Administrative appeal	<u>Denials, Suspensions, Revocations</u> If the division denies an application, it must inform the applicant of his or her right to resubmit it with any additional documentation. If aggrieved by the final decision, the applicant may seek review in the district court (Wyo. Stat. §§ 16-3-114, 6-8-104).

Source: OLR Analysis of State Statutes

\*Appeal procedures may apply to all adverse actions on credentials.

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